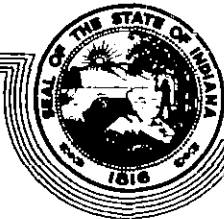


STATE OF INDIANA



INDIANA UTILITY REGULATORY COMMISSION
302 W. WASHINGTON STREET, SUITE E-306
INDIANAPOLIS, INDIANA 46204-2764

<http://www.state.in.us/iurc/>
Office: (317) 232-2701
Facsimile: (317) 232-6758

**IN THE MATTER OF THE PETITION OF)
ACN COMMUNICATIONS SERVICES INC.)
FOR A CERTIFICATE OF TERRITORIAL)
AUTHORITY TO PROVIDE FACILITIES-)
BASED AND RESOLD LOCAL EXCHANGE)
TELECOMMUNICATIONS SERVICES)
INCLUDING CALLER ID SERVICES)
THROUGHOUT THE STATE OF INDIANA)
AND FOR AN ORDER REQUESTING THE)
COMMISSION DECLINE TO EXERCISE)
ITS JURISDICTION PURSUANT TO I.C.)
SEC. 8-1-2.6)**

FILED

JUL 18 2003

INDIANA UTILITY
REGULATORY COMMISSION

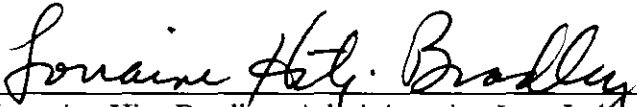
CAUSE NO. 42479

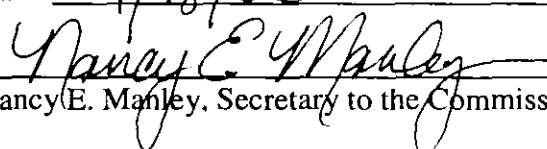
You are hereby notified that on this date, the Indiana Utility Regulatory Commission ("Commission") has caused the following entry to be made:

On July 2, 2003, ACN Communications ("Petitioner") filed a *Motion for Protection of Confidential and Proprietary Information* ("Motion") in this Cause. In its Motion, Petitioner indicates that it intends to submit information to the Commission regarding financial information and actual or projected numbers of customers or lines. Petitioner indicates that the Confidential Information contained in these records constitutes confidential proprietary business information under Indiana law, and therefore should be held as confidential pursuant to Ind. Code 5-14-3-4.¹ Petitioner's Motion is verified by Daniel Crowley, Vice President, ACN Communications Corp.

The Presiding Officer, having reviewed the information contained in the Petitioner's verified Motion, finds that it is incomplete. Petitioner must refile its Motion with specific information how each document asserted to be confidential meets the definition of a protected trade secret, as defined under I.C. 24-2-3-2; what steps Petitioner has taken to protect the asserted confidentiality of the documents at issue; and whether any of the documents at issue have been released as a public record previously.

IT IS SO ORDERED.


Lorraine Hitz-Bradley, Administrative Law Judge

Date 7/18/03

Nancy E. Manley, Secretary to the Commission

¹ While the Indiana Public Records Act does not contain an exemption from disclosure provision applicable to "confidential and proprietary information" it does contain a trade secret exemption, which seems to apply to the relief requested by ACN.